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— PART 1 —

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

City of Nedlands

SITE EROSION AND SAND DRIFT LOCAL LAW 2014

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Nedlands resolved on *22 July 2014* to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *City of Nedlands Site Erosion and Sand Drift Local Law 2014*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Purpose

The purpose of this local law is to provide for the regulation, control and management of site erosion, sand and dust on land within the district so as to protect the amenity of the area.

1.4 Application

This local law shall apply throughout the district.

1.5 Repeal

The *City of Nedlands Local Law Relating to Site Erosion and Sand Drift*, as published in the *Government Gazette* on 21 February 2000, is repealed.

1.6 Interpretation

(1) In this local law unless the context otherwise requires—

Act means the *Local Government Act 1995*;

authorised person means a person authorised by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;

builder means—

- (a) Any person who holds, or will hold, a building permit issued in respect of building works on a building site, or
- (b) Any person who has, or will have, effective control of a building site;

Building Code means the latest edition of the Building Code of Australia published by, or on behalf of, the Australian Building Codes Board, as amended from time to time, but not including explanatory information published within the code;

building site means any lot of land for which a building permit is current, but does not include a lot upon which there exists a commercial, industrial or residential building and—

- (a) the current building permit is issued in respect only of a pergola, patio, shed or other Class 10 building as classified by the Building Code; and
- (b) means of collection and removal of rubbish, satisfactory to the local government but other than that specified within these local laws, is in place;

CEO means the chief executive officer of the local government;

construction work means any work involving the placement, fitting together, manufacture or erection of the components of a building or incidental structure, and includes pouring of footings and slabs and placement of stumps or other floor supports;

Council means the council of the local government;

district means the district of the local government;

dust and sand means granules or particles of rock, earth, clay, loam, silt and any other granular, or airborne particle or like material, and includes gravel;

Erosion Management Plan means a written strategy for minimising the likelihood of carriage by water or wind of sand off any lot of land, incorporating the principles within the latest version of the publication '*Erosion and Sediment Control Manual for the Darling Range, Perth, Western Australia*', published by the Upper Canning/Southern Wungong Catchment team;

land includes any building or structures on the land;

local government means the City of Nedlands;

occupier means any person who, at the time the notice is served, is in control of any place or part of any place or authorised by the owner, lessee, licensee or any other person empowered to exercise control in relation to a place to perform any work in relation to any place and includes a builder or contractor;

(2) Any other expression used in this local law and not defined shall have the meaning given to it in the Act.

(3) Where, under this local law a duty, obligation or liability is imposed on an 'owner or occupier' the duty shall be deemed to be imposed jointly and severally on each owner and occupier.

(4) Where, under this local law, an act is required to be done or forbidden to be done in relation to any land, an owner or occupier of the land has the duty of causing to be done the act so required to be done, or preventing from being done the act forbidden to be done.

(5) Where under this local law the local government is empowered to carry out actions, undertake or cause to be undertaken works as a consequence of the failure of any person to comply with the terms of a notice or other conduct, the right to enter land is at all times subject to the provisions of Part 3, Division 3 of the Act.

PART 2—SITE EROSION AND DUST

2.1 Prevention of erosion and the escape of sand and dust

An owner or occupier of land must take practicable measures to—

- (a) stabilise sand on the land; and
- (b) ensure no sand or dust is released from or escapes from the land, whether by means of wind, water or any other cause.

2.2 Notice may require specified action to prevent erosion and the escape of dust or sand

(1) Where the local government or an authorised person is satisfied that—

- (a) an owner or occupier of land has not complied with cl. 2.1; or
- (b) sand or dust is escaping, being released or being carried, or is likely to escape, be released or be carried, from any land,

the local government or an authorised person may, by notice in writing, direct the owner or occupier to, within a time specified in the notice—

- (c) comply with subclause 2.1;
- (d) clean up and make good any damage resulting from the release or escape of dust or sand from the land; or
- (e) take such other actions or comply with such other conditions as the local government or authorised person considers necessary to prevent or stop the escape, release or carriage of sand or dust from the land, as stipulated in the notice.

(2) An owner or occupier of land to whom a notice is issued under subclause (1) shall comply with the requirements of the notice within the time specified in the notice.

PART 3—MISCELLANEOUS PROVISIONS

3.1 Authorised person

(1) A person must not prevent or impede a duly authorised officer or employee of the local government from carrying out his or her duties under this local law.

(2) The local government may delegate any of its powers, functions and duties under this local law to the CEO or an authorised person, not including its powers of delegation.

PART 4—OBJECTIONS AND REVIEW**4.1 Objections and review**

When the local government or an authorised person gives a person a notice under clause 2.2(1), the provisions of Division 1 of Part 9 of the Act and regulation 33 of the *Local Government (Functions and General) Regulations 1996* shall apply.

PART 5—OFFENCES AND PENALTIES**5.1 Offences**

(1) Any person who—

- (a) fails to comply with a notice issued under clause 2.2(1);
- (b) fails to do anything required or directed to be done under this local law; or
- (c) does anything which under this local law that person is prohibited from doing,

commits an offence.

(2) Any person who commits an offence under this local law is liable, upon conviction, to a penalty not exceeding \$5 000 and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence had continued.

5.2 Prescribed Offences

(1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the Act.

(2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 1.

PART 6—INFRINGEMENT NOTICE**6.1 Form of notices**

(1) The form of the infringement notice referred to in section 9.17 of the Act is Form 2 in the First Schedule of the *Local Government (Functions and General) Regulations 1996*; and

(2) The form of the infringement withdrawal notice referred to in section 9.20 of the Act is Form 3 in the First Schedule of the *Local Government (Functions and General) Regulations 1996*.

SCHEDULE 1—PRESCRIBED OFFENCES

[clause 5.2]

PRESCRIBED OFFENCES

CLAUSE	DESCRIPTION	MODIFIED PENALTY \$
5.1(1)(a)	Failure to comply with a notice served by local government or authorised officer	500

Dated 22 July 2014.

The Common Seal of the City of Nedlands was affixed by authority of a resolution of the Council in the presence of—

MAX HIPKINS, Mayor.
GREG TREVASKIS, Chief Executive Officer.

POLICE

PO301*

Community Protection (Offender Reporting) Act 2004

**Community Protection (Offender Reporting)
Amendment Regulations 2014**

Made by the Administrator in Executive Council.

1. Citation

These regulations are the *Community Protection (Offender Reporting) Amendment Regulations 2014*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Community Protection (Offender Reporting) Regulations 2004*.

4. Regulation 15 inserted

After regulation 14 insert:

15. Prescribed form of identification (s. 38(2A)(a)(iv))

A current photo card, as defined in the *Western Australian Photo Card Regulations 2014* regulation 3, is prescribed for the purposes of section 38(2A)(a)(iv) of the Act.

N. HAGLEY, Clerk of the Executive Council.

PO302*

Misuse of Drugs Act 1981

Misuse of Drugs Amendment Regulations (No. 2) 2014

Made by the Administrator in Executive Council.

1. Citation

These regulations are the *Misuse of Drugs Amendment Regulations (No. 2) 2014*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Misuse of Drugs Regulations 1982*.

4. Regulation 5E amended

In regulation 5E:

- (a) in paragraph (f) delete “Australia.” and insert:

Australia;
- (b) after paragraph (f) insert:

(g) a current photo card, as defined in the *Western Australian Photo Card Regulations 2014* regulation 3, held by the person.

5. Schedule 1 Form M.D. 1 amended

- (1) In Schedule 1 Form M. D. 1 delete:

Identification (100 points / valid ID photo required – attach copy)

Current Passport No. Country of Issue

Drivers Licence (with Photograph) No. Expiry date

Photo Identification Card Type

and insert:

Identification (valid photo ID required – attach copy)

Current Passport No. Country of Issue
 Drivers Licence (with Photograph) No. Expiry date
 Western Australian Photo Card No. Expiry date
 Photo Identification Card Type

(2) In Schedule 1 Form M.D. 1 delete:

Details of Collection Agent’s Identification (100 points / valid photo ID required) (if different to purchaser)

Current Passport No. Country of Issue
 Drivers Licence (with Photograph) No. Expiry date
 Photo Identification Card Type

and insert:

Details of Collection Agent’s Identification (valid photo ID required) (if different to purchaser)

Current Passport No. Country of Issue
 Drivers Licence (with Photograph) No. Expiry date
 Western Australian Photo Card No. Expiry date
 Photo Identification Card Type

N. HAGLEY, Clerk of the Executive Council.

PO303*

Pawnbrokers and Second-hand Dealers Act 1994

**Pawnbrokers and Second-hand Dealers
 Amendment Regulations (No. 2) 2014**

Made by the Administrator in Executive Council.

1. Citation

These regulations are the *Pawnbrokers and Second-hand Dealers Amendment Regulations (No. 2) 2014*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Pawnbrokers and Second-hand Dealers Regulations 1996*.

4. Regulation 10 amended

In regulation 10:

- (a) in paragraph (e) delete “Australia.” and insert:

Australia;
- (b) after paragraph (e) insert:

(f) a current photo card, as defined in the *Western Australian Photo Card Regulations 2014* regulation 3, held by the applicant.

5. Regulation 13 amended

In regulation 13(1) in the Table:

- (a) after item 1C insert:

2A. The person’s name is stated on a current photo card as defined in the *Western Australian Photo Card Regulations 2014* regulation 3.

75 -

- (b) in item 5 after “item 1C” insert:

or 2A)

N. HAGLEY, Clerk of the Executive Council.

PO304*

Security and Related Activities (Control) Act 1996

Security and Related Activities (Control) Amendment Regulations (No. 2) 2014

Made by the Administrator in Executive Council.

1. Citation

These regulations are the *Security and Related Activities (Control) Amendment Regulations (No. 2) 2014*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Security and Related Activities (Control) Regulations 1997*.

4. Regulation 18 amended

In regulation 18 in the Table:

- (a) after item 2 insert:
 - 3A. A current photo card, as defined in the *Western Australian Photo Card Regulations 2014* regulation 3, bearing the name, date of birth and photograph of the applicant.
- (b) in item 4 delete “item 3)” and insert:
 - item 3A or 3)

N. HAGLEY, Clerk of the Executive Council.

PO305*

Witness Protection (Western Australia) Act 1996

Witness Protection (Western Australia) Amendment Regulations (No. 2) 2014

Made by the Administrator in Executive Council.

1. Citation

These regulations are the *Witness Protection (Western Australia) Amendment Regulations (No. 2) 2014*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Witness Protection (Western Australia) Regulations 1996*.

4. Regulation 3 amended

In regulation 3:

- (a) in paragraph (d) delete “qualification.” and insert:

qualification;
- (b) after paragraph (d) insert:

 - (e) the person who, under the *Western Australian Photo Card Act 2014*, is empowered to issue a photo card (as defined in section 3 of that Act).

N. HAGLEY, Clerk of the Executive Council.

— PART 2 —

CEMETERIES

CE401*

CEMETERIES ACT 1986

Shire of Denmark

In pursuance of the powers conferred upon it by section 53 of the *Cemeteries Act 1986*, the Shire of Denmark hereby records having resolved on the 29th day of July 2014 to set the following fees and charges effective not less than 14 days after this notice. The fees and charges shall be payable upon application for services detailed hereunder.

All fees and charges are inclusive of 10% GST (except where shown exempt)

	\$
Grant of Right of Burial (for 25 years, based on surface area of burial site, per below)	
2.5 metres x 1.3 metres	400.00
2.5 metres x 2.5 metres	600.00
Pre-need (Reservation) Fee	60.00
Grant of Right of Burial Renewal Fee	
2.5 metres x 1.3 metres	400.00
2.5 metres x 2.5 metres	600.00
Transfer of Grant of Right of Burial	22.00
Sinking of New Graves (based on 1.8 metres deep)	
<i>Weekdays</i>	
<i>At 1.8 metres deep</i>	
For a person 7 years of age and over	650.00
For a person under 7 years of age	380.00
For a stillborn child	380.00
Over 1.8 metres deep (per each additional 0.3m, or part thereof; charged in addition to fee at 1.8 metres deep [see above])	
Dug by machine	66.00
Dug by hand	120.00
<i>Weekends and Public Holidays</i>	
<i>At 1.8 metres deep</i>	
For a person 7 years of age and over	790.00
For a person under 7 years of age	520.00
For a stillborn child	520.00
Over 1.8 metres deep (per each additional 0.3m, or part thereof; charged in addition to fee at 1.8 metres deep [see above])	
Dug by machine	
Dug by hand	
Re-opening of Existing Grave and Exhumation Fees	
Interment in Existing Grave	710.00
Exhumation of a person	1,000.00
Reburial of a person after exhumation	1,000.00
Removal and replacement of headstone, kerbing, monument, or name plate (per hour)	40.00
<i>Weekends and Public Holidays</i>	
Interment in Existing Grave	710.00
Exhumation of a person	1,000.00
Reburial of a person after exhumation	1,000.00
Removal and replacement of headstone, kerbing, monument, or name plate (per hour)	50.00

	\$	
Interment of Ashes in Niche Walls		
Ficifolia and Jacksonii		
Single only	100.00	
Double only	200.00	
Pre-need Reservation		
Single only	25.00	
Double only	25.00	
Kingia Australis		
Single only	300.00	
Double only	500.00	
Pre-need Reservation		
Single only	75.00	
Double only	75.00	
Interment or Scattering of Ashes and Plaques		
Interment of Ashes in a Family Grave or Niche Wall		
Weekdays	55.00	
Weekends and Public Holidays	110.00	
In special location in Cemetery other than Niche Wall	55.00	
Transfer of ashes to a new location (plus any associated costs)	55.00	
Removal of ashes from Cemetery to an authorised family member	40.00	
Scattering of ashes within the Cemetery	30.00	
Interment of ashes by Shire Officer (in addition to relevant interment fees above)	40.00	
Garden Ground Niche (may not be available)	700.00	
Gazebo Plaque Position (plus plaque) (may not be available)	400.00	
Kerb Plaque (plus plaque costs) (may not be available)	250.00	
Plaque Costs (acquisition of plaque)—actual cost plus \$50.00 Admin Fee		
Memorial Tree		
Pre-need Tree Leaf Position (25 year reservation)	100.00	
Tree Leaves (per position; plus plaque costs)	300.00	
Undertakers Fees		
Annual Licence Fee	220.00	GST Exempt
Single Funeral Permit	140.00	GST Exempt
Single Funeral Permit (non Funeral Directors)	220.00	GST Exempt
Monumental Masons Fees		
Annual Licence Fee	220.00	GST Exempt
Single Permit	140.00	GST Exempt
Other Cemetery Fees		
Interment or burial without due notice (refer clause 3.4 of Local Law)	170.00	
Copy of a Burial Register	25.00	GST Exempt
Late arrival or departure (refer clause 3.4 of Local Law)	22.00	
Permission to Erect or Alter Headstone, Monument or Name Plate	60.00	GST Exempt
Memorial Facilities under development		
Memorial Rock		
Standard (up to 700mm high)	3,000.00	
Large (701mm to 1500mm high)	5,000.00	
Very Large (over 1500mm high; limited to 2 only)	15,000.00	
Memorial Seat		
10 years	4,000.00	
Permission to place a plaque on an existing seat	300.00	GST Exempt

POLICE

PO401*

ROAD TRAFFIC ACT 1974
ROAD TRAFFIC CODE 2000
AUTHORISED PERSONS

Appointed of Accredited Pilots as Authorised Persons

I hereby declare that each person who is an accredited pilot pursuant to Regulation 3 of the *Road Traffic Code 2000* named in the attached lists are 'authorised persons' within the meaning of and in accordance with Regulation 271 of the *Road Traffic Code 2000* for the purposes of regulations 272(1)(a), 272(1)(d), 282(2) and 286 of the *Road Traffic Code 2000*—whilst performing their functions in the facilitating the safe movement of an oversize vehicle escorted by an accredited pilot.

Dated this Friday, 18 July 2014.

KARL J. O'CALLAGHAN, APM, Commissioner of Police.

Surname	First Name	Street	Suburb	State	Post Code	Accredited Number	Training Provider
Clarke	Vannessa	Box 56 Griphorpe Farm	Bolgart	WA	6568	KB 1632	Keen Bros
Coughlan	Sean	10/83 Phoenix Road	Spearwood	WA	6163	KB 1635	Keen Bros
Doust	Gary	Po Box 191	Subiaco	WA	6008	KB 1639	Keen Bros
Dunlea	Drew	Po Box 6161	Broome	WA	6725	KB 1636	Keen Bros
Everest	Stanley	24 Goodall Street	Cloverdale	WA	6105	KB 1633	Keen Bros
Gibson	Randal	20 Rudolf Court	Ringwood North	VIC	3134	KB 1640	Keen Bros
Gilbert	Adrian	19 Euro Boulevard	Karratha	WA	6714	KB 1642	Keen Bros
Hobbs	Nathan	12 Edgeroi Way	Armadale	WA	6112	KB 1637	Keen Bros
Malley	Adam	13 Ormsby Tce	San Remo	WA	6210	KB 1641	Keen Bros
McCoy	Stephen	850 Jarrah Road	Mundaring	WA	6073	KB 1638	Keen Bros
Sanford	Peta	51 Chapple Drive	Bunbury	WA	6230	KB 1635	Keen Bros
Walton	Halley	4/44 Ellam Street	St James	WA	6102	KB 1631	Keen Bros

RACING, GAMING AND LIQUOR

RA401*

LIQUOR CONTROL ACT 1988
LIQUOR APPLICATIONS

The following applications received under the *Liquor Control Act 1988 (the Act)* are required to be advertised.

Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming and Liquor, 1st Floor, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
15109	Bucheon Family Pty Ltd	Application to the grant of a Restaurant licence in Ardross known as The Gaya Applecross	21/09/2014
15112	T & N Brutti Pty Ltd	Application for the grant of a Restaurant licence in Osborne Park known as The Other Office	31/08/2014

This notice is published under section 67(5) of the Act.

Dated: 1 August 2014.

B. A. SARGEANT, Director of Liquor Licensing.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

In the estate of Margaret Lorraine Fisher who died on 3 February 2014 of RAAFA Estate, U59/19 Oakleigh Drive, Erskine, Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the said deceased person are required by the Executors of the deceased's estate being Andrea Lorraine Vernon and Terence John Vernon care of Angus Tibbits Solicitors, Suite 9, 73 Calley Drive, Leeming Western Australia, to send particulars of their claims to them by 1 September 2014, after which date the Executors may convey or distribute the assets having regard only to the claims of which they then have notice.

ZX402

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Llewellyn Roy Huxley formerly of 38B Hanson Way, Mandurah Western Australia late of Greenfields Aged Care Facility, Lakes Road, Greenfields in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased who died on 4 August 2012 are required by the personal representative to send particulars of their claims to him, care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by 15 September 2014 after which date the personal representative may convey or distribute the assets having regard to the claims of which she then has notice.

CLEMENT & CO as solicitors for the personal representative.

ZX403

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Carmen Doris Strugnell, late of 8 Gower Court, Willetton, formerly of 2 Wattle Avenue, Bentley, Western Australia, deceased.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962* relates) in respect of the estate of the said deceased, who died on the 3rd day of September 2013 are required by the executors Desmond Robert Townsend and Hartley John Strugnell to send particulars of their claim to Hartley Strugnell, PO Box 4114, Swan View WA 6056 within 30 days from the date of publication of this notice, after which date the executors may convey or distribute the assets having regard only to the claims of which they then have notice.

ZX404

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Allan David Parker, late of 6A Baal Street, Palmyra, Western Australia.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962* (WA) relates) in respect of the estate of the said deceased who died on 20 January 2014 are required by the Personal Representative, Denise Hamilton of 6A Baal Street, Palmyra 6157 to send particulars of their claims to her by 6 September 2014 after which date the Personal Representative may convey or distribute the assets having regard only to the claims of which she then has notice.

Dated this Tuesday, 5 August 2014.

DENISE HAMILTON.
6A Baal Street
Palmyra WA 6157.



Government of **Western Australia**
Department of the **Premier and Cabinet**
State Law Publisher



CLOSURE OF **COUNTER SALES**

As of **Monday 6th January 2014**, counter sales at State Law Publisher were closed.

Orders for publications will need to be lodged and pre-paid by telephone, email, post/mail or online at www.slp.wa.gov.au

Pre-paid orders can still be picked up personally or by courier from the basement at 10 William Street, Perth, if required.

Government Gazette notices can still be lodged in person at the basement.

All telephone and facsimile contact details have remained the same.

Sales and General Inquiries: 6552 6000

Government Gazette Publishing Inquiries: 6552 6012

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